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VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD
CALIFORNIA STATE EMPLOYEES CHARITABLE CAMPAIGN REGULATIONS
Title 2, §§ 633.9

[Notice Published January 7, 2011]

The Victim Compensation and Government Claims Board (Board) proposes to adopt the proposed regulations described below after considering all comments, objections and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action; however, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested individual, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period closes at 5:00 p.m. on February 21, 2011. The Board will consider only comments received at the Board's office by that time. Submit written comments to:

Geoff Feusahrens, Regulations Analyst
Victim Compensation and Government Claims Board
400 R Street
Sacramento, CA 95811

Comments may also be submitted by facsimile (FAX) at (916) 491-6439 or by e-mail to regulations@vcgcb.ca.gov.

AUTHORITY AND REFERENCE

Government Code section 13923

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

The Victim Compensation and Government Claims Board implements the California State Employees Charitable Campaign (CSECC). This rulemaking action makes several amendments to the CSECC regulation text including adding definitions of key terms used and requiring written justification for any combined fundraising and administrative costs above 14 percent. In addition to these specific amendments, the following modifications were made to the regulation text:

- Stating who the players are and in what context they are involved in the CSECC.
- Stating the contributing factors the Board shall make in determining whether a Combined Fund Drive will be selected as the Principal Combined Fund Drive (PCFD) to conduct the CSECC.
- Stating the form prescribed by the Board for which PCFD applications must be submitted on. In addition, making clear that a written justification for any combined fundraising and administrative costs above 14 percent is required.
- Stating the form prescribed by the Board for which non-affiliated applications must be submitted on.
- Clarification that all organizations participating in the prior year's CSECC must certify that the organization's status and conditions of approval remain the same as indicated in the original application in order to be included in the current CSECC.
- Stating procedures for payroll deductions for charitable contributions and increasing the minimum monthly contribution from \$2.00 to \$5.00.
- Stating PCFDs must seek Board approval prior to modifying its agreement with the Board.
- Clarification that Program costs will be based on each PCFD agency's or charitable organization's share of the annual contributions and that there will be no charge to any PCFD agency or charitable organization with total annual collections less than \$1,500.
- Addressing the Board's authority to terminate the participation of any agency or charitable organization that fails to comply with the requirements of Government Code section 13923.
- Stating the Board has the authority to authorize a new PCFD for a particular geographical area for the remainder of the year upon terminating participation of another PCFD.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None

Other nondiscretionary cost or savings imposed on local agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private individual or business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None

SMALL BUSINESS DETERMINATION

The Board has determined that the proposed regulations do not affect small businesses because the regulations only apply to organizations participating in the CSECC.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private individuals than the proposed action.

The Board invites interested individuals to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Geoff Feusahrens
Victim Compensation and Government Claims Board
400 R Street
Sacramento, CA 95811
Telephone: (916) 491-3863

The backup contact person for these inquiries is:

Ed Carillo
Victim Compensation and Government Claims Board
400 R Street
Sacramento, CA 95811
Telephone: (916) 491-3753

Please direct requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Geoff Feusahrens at the above address.

NOTICE OF RULEMAKING ACTION, AVAILABILITY OF STATEMENT OF REASONS, AND PROPOSED REGULATION TEXT

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations and the Initial Statement of Reasons. Copies may be obtained by contacting Geoff Feusahrens at the address or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing, if requested, and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text available to the public at least 15 days before the Board adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Geoff Feusahrens at the address indicated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Geoff Feusahrens at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking Action, the Initial Statement of Reasons and the regulation text in underline and strikeout can be accessed through our website at www.vcgcb.ca.gov.

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